

**Notice of Allowability**

Application No.

10/084,821

Examiner

J. Allen Shriver

Applicant(s)

LANTZ, CHARLES J.

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/22/2004.
2. ☒ The allowed claim(s) is/are 2,3 and 12-20.
3. ☒ The drawings filed on 31 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 5/13/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's submittal of an After-final amendment was received on April 22, 2004, wherein claim 12 was amended and claims 1 and 4-11 were cancelled.

## **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Charles Schroeder on May 13, 2004.

The application has been amended as follows:

### **IN THE CLAIMS:**

In claim 12, line 8, the phrase "side channels" has been replaced with the phrase --side channel members--.

In claim 12, line 9, the phrase --basket reinforcing channel-- has been inserted after the word "extending" and the word --side-- has been inserted before the word "channel".

In claim 12, line 11, the word "lower" (first occasion in the line) has been replaced with the word --bottom--.

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In claim 12, line 12, the phrase --basket reinforcing channel-- has been inserted before the word --members--.

In claim 12, line 16, the word "bracing" has been replaced with the word --brace--.

In claim 12, line 17, the word "bracing" has been replaced with the word --brace--.

In claim 12, line 18, the phrase --basket reinforcing channel-- has been inserted after the word "extending".

In claim 13, line 8, the word --underlying-- has been inserted before the word "support".

*Allowable Subject Matter*

3. Claims 2-3 and 12-20 are allowed over the prior art.
4. The following is an examiner's statement of reasons for allowance: Regarding claim 14, the prior art does not show wherein each of said interior surfaces of the opposite sides of said basket is provided with a groove oriented and sized to receive in snug fit relation one of said upwardly extending metal channel members. Regarding claim 2, the prior art does not disclose a pair of U-shaped channel members from the rear of said carriage extending upwardly and forwardly from opposite sides of said carriage into said basket in merged reinforcing relation with the opposite interior surface of said side walls of said basket. The prior art shows a tubular member from the rear of the carriage extending along the outside of the basket, and does not show the channel being U-shaped and in merged reinforcing relation with the interior surfaces of the side walls of the basket.

Regarding claim 13, the prior art does not disclose a pair of U-shaped channel members from the rear of said carriage extending upwardly and forwardly from opposite sides of said

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carriage into said basket in merged reinforcing relation with the opposite interior surface of said side walls of said basket. The prior art shows a tubular member from the rear of the carriage extending along the outside of the basket, and does not show the channel being U-shaped and in merged reinforcing relation with the interior surfaces of the side walls of the basket.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Allen Shriver whose telephone number is (703) 308-1224. The examiner can normally be reached on Mon-Thurs 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Johnson can be reached on (703) 308-0885. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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J. Allen Shriver

Examiner

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5/17/04